

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

KELVION WALKER
Plaintiff

v.

AMY WILBURN
Defendant

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CIVIL ACTION NO. 3:13-CV-04896-K
(Judge Kinkeade)

JOINT STATUS REPORT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Plaintiff Kelvion Walker and Defendant Amy Wilburn and file this Joint Status Report.

I.
PROCEDURAL BACKGROUND

1. On December 18, 2013, Plaintiff filed suit and the case was assigned to Judge Fitzwater. Doc. 1.

2. On October 5, 2015, Judge Fitzwater stayed the case. Doc. 113.

3. On April 16, 2018, Judge Fitzwater set the case for trial on August 27, 2018. Doc. 143.

4. On July 5, 2018, Judge Fitzwater reset the trial setting to February 4, 2019. Doc. 157.

5. On November 9, 2018, the District Clerk reassigned the case to Judge Kinkeade. Doc. 178.

6. On January 15, 2019, the parties' attorneys of record participated in a conference call with David Miller, Judge Kinkeade's law clerk about this matter. Mr. Miller informed the attorneys that the February 4, 2019 trial setting will be reset. Mr. Miller provided the attorneys

two possible trial settings: May 6, 2019 and September 9, 2019.

**II.
STATUS REPORT**

7. The parties are available for trial on September 9, 2019. Defendant's counsel reviewed their schedules and contacted Defendant's expert witness and fact witnesses about their availability for trial in May and September. Defendant, her counsel and witnesses are available for trial in September but not in May. Plaintiff is ready on both the May and September dates and desires to proceed on the earlier of the two dates as the stay entered in the case was immoderate in length.

Respectfully submitted,

/s/ Geoff J. Henley

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CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of January, 2019, I electronically filed the foregoing document with the clerk of the Court for the United States District Court, Northern District of Texas, using the electronic case filing (“ECF”) system of the Court. The ECF system has provided notice of said filing to all attorneys of record.

/s/ Thomas P. Brandt
THOMAS P. BRANDT